THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION. NO : 22846 of 2005

Date: 29.09.2005

Between:

P. Suresh Kumar

… Petitioners

and

State of A.P. rep. By its Principal Secretary, Revenue Department, Secretariat, Hyderabad & others.

… Respondents.

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION. NO : 22846 of 2005

ORDER: (per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed seeking suspension of the order dated 01.09.2005 in O.A.No.4617 of 2005 on the file of the A.P. Administrative Tribunal, Hyderabad

(for short 'the Tribunal').

Heard the learned counsel on either side.

A perusal of the record goes to show that the Tribunal has passed an order directing respondents 1 and 2 herein to consider the case of respondents 3 to 7 for promotion to the post of Deputy Commissioner of Commercial Taxes in the existing vacancy forthwith as per the seniority list of Assistant Commissioner of Commercial Taxes, issued *vide* A.P. Gazette Notification No.314, dated 17.05.2005, pending further orders. While so, the petitioner herein without filing any petition seeking suspension of the above said order before the Tribunal, straight away approached this Court, by invoking the jurisdiction under Article 226 of the Constitution of India. In that view of the matter, We are of the opinion that the writ petition itself is not maintainable.

The writ petition is accordingly dismissed. However, the petitioner is at liberty to move an appropriate application before the Tribunal for the very same relief. There shall be no order as to costs.

(T. Meena Kumari.J)

(P. Lakshmana Reddy.J)

ksld

Dt.29.09.2005